



January 26, 2022

Board of Public Works and Safety  
City of Lafayette  
20 North 6<sup>th</sup> Street  
Lafayette, IN 47901

Dear Board members:

Lafayette Renew is requesting the Board sign the Consent to Assignment for the Rome Drive Lift Station rehabilitation project. This project received quotes before the Board on October 19, 2021 with the Notice of Award on November 9, 2021 and the contract on December 14, 2021.

After the Board executed the contract with Maddox Industrial Group, they were purchased by Maddox Industrial LLC. This Consent to Assignment allows Maddox Industrial LLC to fulfill the obligations of the contract with the City of Lafayette for this project.

The City has also received updated insurance information, e-verify, bonds and Iran Investment Certification documents.

This information has been reviewed by the City Attorney and I request your approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Brad W. Talley", is written over the printed name.

Brad W. Talley  
Superintendent  
Lafayette Renew



## **CONSENT TO ASSIGNMENT**

This Consent to Assignment ("Consent") is made effective as of the date of execution below ("Effective Date") by The City of Lafayette, Indiana.

**WHEREAS**, Maddox Industrial Group, Inc. ("Maddox") is a party to a certain Purchase Order Nos. 21-10226 by and between Maddox and The City of Lafayette, Indiana, a copy of which is attached hereto as Exhibit A ("Agreement");

**WHEREAS**, Maddox and Maddox Industrial LLC, a Delaware limited liability company and new entity funded by Bridge Industries LLC ("Maddox Industrial LLC") are entering into a certain Asset Purchase Agreement, whereby Maddox Industrial LLC will purchase substantially all of the assets of Maddox ("Asset Purchase");

**WHEREAS**, concurrently with the closing of the Asset Purchase, Maddox desires to assign all of Maddox's right, title, interest and obligations in, to and under the Agreement to Maddox Industrial LLC in accordance with the terms and conditions of the Asset Purchase Agreement; and

**WHEREAS**, Maddox Industrial LLC desires to assume all of Maddox's right, title, interest and obligations in, to and under the Agreement;

### **NOW, THEREFORE,**

The City of Lafayette, Indiana hereby (a) consents to the assignment of the Agreement to Maddox Industrial LLC; (b) acknowledges that this Consent satisfies all notice, consent, and other procedural requirements under the Agreement in connection with the Asset Purchase; (c) acknowledges that it will assist with transferring over any accounts (as required) to Maddox Industrial LLC; (d) waives any right to terminate the Agreement that may arise under the Agreement in connection with the Asset Purchase; and, (e) on and after the Effective Date, further agrees to fully release Maddox from any and all obligations of Maddox under the Agreement and to look solely to Maddox Industrial LLC to fulfill the obligations of Maddox thereunder.

**IN WITNESS WHEREOF**, The City of Lafayette, Indiana has executed this Consent as of the Effective Date.

**THE CITY OF LAFAYETTE, INDIANA:**

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Approved by the Board of Public Works and Safety on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2022.

\_\_\_\_\_  
Gary Henriott, President

\_\_\_\_\_  
Cindy Murray, member

\_\_\_\_\_  
Norm Childress, member

\_\_\_\_\_  
Ronald Shriner, member

\_\_\_\_\_  
Amy Moulton, member

ATTEST:

\_\_\_\_\_  
Mindy Miller Riehle, 1<sup>st</sup> Deputy Clerk

Date: \_\_\_\_\_